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UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

MICROSOFT CORPORATION and  
ACTIVISION BLIZZARD, INC.,

Defendants.

Case No. 3:23-cv-02880-JSC

**DEFENDANTS' STATEMENT OF  
WITNESSES AND EVIDENCE FOR JUNE  
27, 2023, PURSUANT TO COURT ORDER  
(ECF NO. 170)**

Dept.: Courtroom 8—19th Floor  
Judge: Honorable Jacqueline S. Corley

Pursuant to the Court's Order Following June 21, 2023 Status Conference (ECF No. 170) ("Order"), Defendants Microsoft Corp. ("Microsoft") and Activision Blizzard, Inc. ("Activision") write to inform the Court that Defendants will call Jim Ryan and Lori Wright as witnesses on Tuesday, June 27, 2023. Defendants understand that Plaintiff Federal Trade Commission ("FTC") also intends to call Jim Ryan, Lori Wright, Jeff Fisher, Phil Eisler, and Dr. Robin Lee as witnesses on Tuesday, June 27, 2023. Jim Ryan, Jeff Fisher, and Phil Eisler's testimony will be via deposition designation. Lori Wright's testimony will be via stipulation.

Defendants intend to use the following exhibits with these witnesses:

Witness	Exhibit	Declaration in Support of Sealing or Redacting the Exhibit <sup>1</sup>	Cross-Reference
Jim Ryan	RX1162 <sup>2</sup>	N/A	N/A
	PX3106	N/A	N/A
	PX3109	N/A	N/A
	PX8001	ECF No. 195, at 7; ECF. No. 134 & 134-3	ECF 12-18, 134-3
	RX0020	ECF No. 172, at 9	N/A
	RX0070	N/A	N/A
	RX0075	ECF No. 172, at 9	N/A
	RX0079	ECF No. 172, at 9	N/A
	RX2059 <sup>3</sup>	N/A	N/A
Lori Wright	RX1245	ECF No. 150, at 51	ECF 109-29

<sup>1</sup> Defendants do not seek to seal the exhibits that are listed here without citation to a supporting declaration.

<sup>2</sup> A duplicate of RX1162 was used in the deposition of Jim Ryan, but labeled as PX3105 and thus will be cited as PX3105 in the designations of Mr. Ryan's deposition offered into evidence.

<sup>3</sup> A duplicate of RX2059 was used in the deposition of Jim Ryan, but labeled as RX0032 and thus will be cited as RX0032 in the designations of Mr. Ryan's deposition offered into evidence.

Dr. Robin Lee	RX2069	ECF No. 172, at 13	ECF. 110-15
	RX1211	ECF No. 189, at 68	ECF. 109-27
	RX1212	ECF No. 189, at 68	ECF. 109-23
	RX2170	ECF No. 189, at 3	ECF. 110-17
	RX1221	ECF No. 189, at 68	ECF. 109-25
	RX1222	ECF No. 189, at 68	ECF. 109-30
	RX1245	ECF No. 189, at 71	ECF. 109-29
	RX1238	ECF No. 189, at 70	ECF. 109-26
	RX0020	ECF No. 172, at 9	N/A
	RX5047	Motion for In-Camera Treatment Forthcoming	N/A
	PX2199	Redactions Forthcoming	N/A
	PX2115	Redactions Forthcoming	N/A
	PX1763	Redactions Forthcoming	N/A
	PX7052	Redactions Forthcoming	ECF. 12-13, 109-08
	PX7053	ECF 172, at 7; ECF 195, at 4-6	ECF. 12-15, 110-5, 134-2
	RX3100	Redactions Forthcoming	N/A
	RX3097	Redactions Forthcoming	N/A
	PX7035	Redactions Forthcoming	ECF 109-07
	RX1011	Redactions Forthcoming	N/A
	RX1038	Redactions Forthcoming	ECF 109-12
	RX5015	N/A	N/A
	PX8002	N/A	N/A
	PX7059	In Camera, ECF 219, at 2	ECF 110-16

	PX7065	In Camera, ECF 219, at 2	N/A
	RX5048	N/A	N/A
	RX2164	N/A	ECF 111-16, 111-60
	RX2073	Redactions Forthcoming	N/A
	RX5049	N/A	N/A
	RX5050	N/A	N/A
	RX0046	N/A	N/A
	RX3132	N/A	N/A
	RX3158	N/A	N/A
	RX5024	N/A	N/A
	PX1136	Redactions Forthcoming, ECF 189, at 9	N/A
	PX4670	In Camera, ECF 189, at 32	N/A
Jeff Fisher	RX0299	N/A	N/A
Phil Eisler	RX1211 <sup>4</sup>	ECF No. 150, at 48	ECF 109-27
	PX8000	ECF No. 161-1, at 4	ECF 12-11, 145-3, 161-4
Dr. Elizabeth Bailey	N/A	N/A	N/A

<sup>4</sup> RX1211 was entered into evidence in this matter on June 22, 2023. A duplicate of RX1211 was used in the deposition of Phil Eisler, but labeled as PX1781 and thus will be cited as PX1781 in the designations of Mr. Eisler's deposition offered into evidence.

1 Dated: June 26, 2023

Respectfully submitted,

2  
3 By: /s/ Caroline Van Ness

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